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C O N F I D E N T I A L SECTION 01 OF 02 TEL AVIV 001946

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SUBJECT: FIRST OUTPOST REMOVED UNDER NEW LEGAL PROCESS

REF: TEL AVIV 1391

Classified By: DCM Richard LeBaron for Reasons 1.4 (b,d)

This is a joint Embassy Tel Aviv/ConGen Jerusalem Cable

11. (C) IDF forces succeeded early Wednesday March 31 in their second attempt within 24 hours to remove the outpost of Hazon David near Kiryat Arba in the West Bank. The IDF had failed the previous evening to remove the outpost, reportedly little more than a number of tents and a makeshift synagogue, when it encountered organized settler resistance and backed off. The successful evacuation Wednesday morning followed IDF action forcibly blocking most settler access to the areas around the outpost. According to the settler website Arutz 7, settlers have vowed to reestablish the outpost. Settler activists attempting to get to the site clashed with border police and IDF units later in the day, leaving a policewoman and a teenage boy lightly injured.

GOI Moves the Ball Forward, Slowly

12. (C) This action moves the process of GOI removal of those outposts established after March 2001 a small but significant step forward. It is the first outpost removed under PM Sharon's December 2003 decision to base GOI challenges to the establishment of illegal outposts on security and political grounds, rather than on violations of zoning and building laws (reftel). This decision was enshrined in the March 4 High Court of Justice decision specifically authorizing Hazon David's removal that was immediately appealed by settler groups. The High Court rejected this appeal, lodged by settlement groups such including Amana and the Gush Emmunim, on March 22, thus paving the way for the March 31 removal. IDF action against the Hazon David outpost, and the court decision that made it possible, could thus presage the removal of other established outposts. (Note: Hazon David was not one of the 49 sites listed as still present on the list of post-march 2001 outposts passed by the Ambassador to the IDF on January 14 because we could not confirm its location. Therefore there are still 49 outposts present from the January 14 list, and many of these are occupied and growing. The test of the Hazon David action will be whether it is followed by action against the more established outposts.

Palestinians and Settlers Downplay
Evacuation's Significance

13. (C) Palestinian and settler officials largely downplayed the IDF action. Sa'eb Erekat, PA Minister for Negotiations, derided the evacuation as "cosmetic." "Settlement activity goes on, and the war goes on," Erekat said in a public statement. Elyakim Haetzni, a hard-core settler activist in Kiryat Arba, largely shared Erekat's assessment. "This place is a joke; it's nothing," Haetzni told PolOff March 31. "It's part of a cat-and-mouse game" between the settlers and Sharon, he added. "It will be a losing battle for the government because they will need to keep 100-200 soldiers at the site for months to keep us away," said Haetzni. "This place was just four walls made of simple stones with a tarpaulin for a roof," he said, laughing. "If they try to remove a larger place, there will be much more resistance." Haetzni said that the settlers who clashed with police in the area hours after the evacuation were intending to rebuild the outpost.

Settlers Preparing to Resist
Future Evacuations

14. (C) Shaul Goldstein, vice chair of the YESHA Council and head of the Gush Etzion council, told PolOff March 31 that Bat Ayin West-West, one of the outposts in Gush Etzion, had received IDF evacuation orders yesterday, but he did not know when or if the orders would be carried out. Goldstein said he couldn't be sure the settlers will be able to re-establish the outpost if it is removed. "We don't have so much money right now," he said. "And we don't have the money for a PR

campaign, like the Geneva Accord people do." (Note: Both Jerusalem and Tel Aviv have been plastered recently with high-quality posters opposing the evacuation of settlements as part of the "disengagement plan.") Goldstein predicted that the settlers would save their resistance efforts for larger, populated outposts, and that the settlers would make Sharon pay a political price for this and any other evacuations. For Goldstein, the stakes seemed high: "Today is the beginning of the destruction of Israel."

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